

unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Biloxi Canning Co., Biloxi, Miss., on or about January 11, 1925, and transported from the State of Mississippi into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Bull Head Brand Oysters Net Weight \* \* \* 5 Ounces."

Adulteration of the article was alleged in the libel for the reason that a substance, water or brine, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Net Weight \* \* \* 5 Ounces," borne on the labels, was false and misled the purchaser, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about April 27, 1925, the Biloxi Canning Co., Biloxi, Miss., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,000, in conformity with section 10 of the act, conditioned in part that it be relabeled and brought into compliance with the law under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13331. Adulteration of frozen mixed eggs. U. S. v. 66 Cans of Frozen Mixed Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 18504. I. S. No. 13145-v. S. No. E-4784.)

On March 20, 1924, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 66 cans of frozen mixed eggs, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the Omaha Cold Storage Co., from Omaha, Nebr., on or about November 19, 1923, and transported from the State of Nebraska into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On April 29, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13332. Adulteration of shell eggs. U. S. v. Jasper Leland Warren. Plea of guilty. Fine, \$10.** (F. & D. No. 18312. I. S. No. 8506-v.)

On April 5, 1924, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jasper Leland Warren, trading as the Warren Produce Co., Benkelman, Nebr., alleging shipment by said defendant, in violation of the food and drugs act, on or about August 22, 1923, from the State of Nebraska into the State of Colorado, of a quantity of shell eggs which were adulterated. The article was labeled in part: (Tag) "From Warren Produce Company J. Leland Warren, Prop. Benkelman, Nebraska."

Examination by the Bureau of Chemistry of this department of 1,980 eggs from the consignment showed that 137, or 6.91 per cent of those examined, were inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and putrid and decomposed animal substance.

On March 2, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13333. Misbranding of canned corn. U. S. v. 78 Dozen Cans of Canned Corn. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 19915. I. S. No. 23242-v. S. No. C-4683.)

On or about March 25, 1925, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying

the seizure and condemnation of 78 dozen (1,781 dozen) cans of canned corn, at Little Rock, Ark., alleging that the article had been shipped by the New Vienna Canning Co., New Vienna, Ohio, on or about January 12, 1925, and transported from the State of Ohio into the State of Arkansas, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Maple Sweet Brand Evergreen Sugar Corn Contents 1 Lb. 4 Oz. \* \* \* Packed By New Vienna Canning Co. New Vienna, Ohio."

Misbranding of the article was alleged in the libel for the reason that the statement "Contents 1 Lb. 4 Oz.," borne on the labels, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 6, 1925, the American Grocer Co., Little Rock, Ark., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, in conformity with section 10 of the act, conditioned in part that the product be relabeled.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13334. Misbranding of cottonseed cake and cottonseed meal. U. S. v. 185 Sacks of Cottonseed Cake and 230 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 19923. I. S. Nos. 20877-v, 20878-v, 20879-v. S. No. W-1686.)

On March 25, 1925, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 185 sacks of cottonseed cake and 230 sacks of cottonseed meal, remaining in the original unbroken packages at Denver, Colo., consigned by the Hobart Cotton Oil Mill, Hobart, Okla., alleging that the articles had been shipped from Hobart, Okla., on or about March 4, 1925, and transported from the State of Oklahoma into the State of Colorado, and charging misbranding in violation of the food and drugs act. The articles were labeled in part: "Chickasha Prime Cottonseed \* \* \* Guaranteed Analysis Protein, not less than 43 per cent \* \* \* Chickasha Cotton Oil \* \* \* Chickasha, Oklahoma."

Misbranding of the articles was alleged in the libel for the reason that the statement "Protein, not less than 43 per cent," borne on the labels, was false and misleading and deceived and misled the purchaser, in that the products did not contain 43 per cent of protein.

On April 6, 1925, the Chickasha Cotton Oil Co., Chickasha, Okla., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13335. Adulteration of canned salmon. U. S. v. Pillar Rock Packing Co. Plea of guilty. Fine, \$150.** (F. & D. No. 19599. I. S. Nos. 21027-v, 21037-v.)

On March 28, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pillar Rock Packing Co., a corporation, Pillar Rock, Wash., alleging shipment by said company, in violation of the food and drugs act, in two consignments, namely, on or about January 8, 1924, and October 16, 1924, respectively, from the State of Washington into the State of Oregon, of quantities of canned salmon which was adulterated. The article was labeled in part: (Can) "Pillar Rock Brand Columbia River \* \* \* Salmon."

Examination by the Bureau of Chemistry of this department of 113 cans from the consignment of January 8, 1924, showed that 35.3 per cent of the cans examined contained decomposed fish. Examination by said bureau of 72 cans from the remaining consignment showed that 20.8 per cent of the cans examined contained decomposed fish.